



**Missouri
Department
of Natural
Resources**

VCP INSTITUTIONAL CONTROL CONTRACT

_____ has entered into a Letter of Agreement pursuant to the Voluntary Cleanup Program, §260.565, *et seq.*, RSMo. with the Missouri Department of Natural Resources (the department) for (name of facility or site), a site of environmental contamination located at (address of facility or site) in the city (town, village) of _____, _____ County, Missouri.

The site or facility (hereafter "site") has been remediated to a level safe for its current or intended use as specified in the department-approved remedial action plan provided that certain risk reduction and exposure control measures remain in place. The department has an obligation to protect human health and the environment and to assure that all of the risk reduction and exposure control measures in the remedial action plan (and any amendments thereto) remain intact, functional, and able to serve their intended purposes.

NOW THEREFORE, [insert name of Property owner], [insert mailing address of owner] (here after referred to as the "Owner") hereby agrees that:

1. The Owner shall pay to the department a one-time fee of \$ _____ to be used to fund regular inspections of the risk reduction and exposure control measures implemented at the site for as long as necessary.
2. The Owner agrees to execute and file with the _____ County Recorder of Deeds a Restrictive Covenant and Access pertaining to management of the contamination.
3. The Owner shall file this Agreement and the Restrictive Covenant and Access with the _____ County Recorder of Deeds within five (5) days of execution of this agreement and provide to the department evidence of such

recording, to include a true copy of the documents as filed and stamped by the _____ County Recorder of Deeds.

4. If the department determines that the Owner has failed to comply with the terms of this Agreement or the Restrictive Covenant and Access, or fails to comply with the terms of the Letter of Agreement or fails to comply with the department-approved remedial action plan, the Certification of Completion Letter as provided by the department pertaining to this site may be rescinded and deemed null and void at the discretion of the department. In this event, a notice shall be filed by the department with the _____ County Recorder of Deeds in the chain of title for this site that confirms the rescission of said Certification of Completion Letter.

The undersigned person executing this Agreement on behalf of the Owner represent and certifies that they are truly authorized and have been fully empowered to execute and deliver this Agreement.

IN WITNESS WHEREOF, the Owner of the site has caused this agreement to be executed on this _____ day of _____, 20____.

Signed in the presence of Property Owner subscribed and acknowledged.

Signature of Owner

Subscribed and acknowledged before me this ____ day of _____, 20____.

Notary Public

My commission expires _____.

IN WITNESS WHEREOF, the Missouri Department of Natural Resources has caused this agreement to be executed on this _____ day of _____, 20____.

Signed in the presence of the Missouri Department of Natural Resources subscribed and acknowledged.

Missouri Department of Natural Resources

Subscribed and acknowledged before me this _____ day of _____, 20____.

Notary Public

My commission expires _____.